

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDDIE C. SHELL,

Defendant.

8:06CR217

ORDER

This matter is before the court on defendant's motion to reduce sentence under the 2011 crack cocaine guidelines. Filing No. 57. Subsequent to the filing of the motion, the court ordered the Federal Public Defendant to represent the defendant on this issue. Filing No. 58. Thereafter, counsel for the defendant moved to withdraw on the basis that defendant was sentenced to the applicable mandatory minimum sentence, and thus not entitled to relief. Filing No. 60. After a review of the matter, the court finds that defendant's motion to reduce his sentence under the 2011 crack cocaine guidelines, Filing No. 57, is without merit and should be dismissed.

IT IS ORDERED:

1. The defendant's motion to reduce sentence under the 2011 crack cocaine guidelines, Filing No. 57, is denied.
2. The court grants counsel's motion to withdraw. Filing No. 60.
3. The Clerk of Court shall mail a copy of this order to the defendant at his last known address.

Dated this 7th day of August, 2012.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge